

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2017

CORAM

THE HONOURABLE MRS. JUSTICE PUSHPA SATHYANARAYANA

CRP PD.No.618 of 2014

and

M.P.No.1 of 2014

Alamelu

... Petitioner

Vs

1.Umaiya

2.Ramesh

3.Ravi

...Respondents

Prayer: Civil Revision Petition filed under Article 227 of the Constitution of India against the fair and decretal order in I.A.No.1715 of 2011 in O.S.No.661 of 2004 dated 02.12.2011 on the file of the Principal District Munsif, Villupuram.

For Petitioner :: Mr.N.Suresh

For Respondents :: Mr.A.P.Neelamegavannan

O R D E R

In the suit for declaration and injunction, earlier commissioner was appointed and report was also submitted. I.A.No.1715 of 2011 was filed by the plaintiff for setting aside the plan of the commissioner and while passing orders on the same, the trial judge has stated that it will be difficult to adjudicate the dispute between the parties based on the report of the commissioner filed earlier. Therefore, the trial judge

thought fit to reissue the same warrant of the commissioner. However, while giving such direction, the learned Judge has stated that if the Commissioner has not filed the report and plan after inspection on or before 22.12.2011, the order would automatically get cancelled. Aggrieved by the said observation, the revision has been filed.

2.Heard both sides.

3.It is agreed by both the parties that time shall be extended for the commissioner to visit the property. It is also stated that the same Commissioner is available for taking up the task. Hence, the Commissioner appointed as per order dated 02.12.2011 is directed to file a report after visiting the disputed property on or before 31.03.2017. The civil revision petition is disposed of. No costs. The connected miscellaneous petition is closed.

01.02.2017

vri

To

The Principal District Munsif,
Villupuram.

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